



LAVERKIN CITY PLANNING COMMISSION

Regular Meeting

Wednesday, August 14, 2013 6:00pm

City Council Chambers, 111 South Main Street
LaVerkin, Utah 84745

Present: Chair Anna Andregg; Commissioners: Michael Hinckley, Hugh Howard, Allen Bice, Karl Benson, Staff: Derek Imlay, Kyle Gubler, Kevin Bennett, and Christy Ballard; Public: Richard Hirschi, John and Rose Valenti, Ken Hooten, Ray and Laura Justice, Ann Wixom, Micha, Kuzina Cheng, Lu Bai, Jake Bulkley, Kevin Reynolds and Karl Wilson.

I. Call to Order: Chair Anna Andregg called the meeting to order at 6:01pm. The Invocation and Pledge of Allegiance was given by Ken Hooten.

II. Approval of Minutes:

Commission may approve the minutes of the July 10, 2013 regular meeting.

Motion was made by Commissioner Michael Hinckley to approve the July 10, 2013 regular meeting, second by Commissioner Allen Bice. Motion carried unanimously.

Derek asked to add a presentation from Form Tomorrow in regard to ideas on working with the Virgin River to preserve the flood banks and possibly avoid large conflicts.

The presentation will follow the Reports.

III. Approval of Agenda

Motion was made by Commissioner Allen Bice to approve the agenda as written adding the presentation from Form Tomorrow, second by Commissioner Michael Hinckley. Motion carried unanimously.

IV. Reports:

1. Beautification/Trails Committee-Commissioner Bice reported the Crescent Park is progressing nicely. They also discussed other possible projects.
2. Economic Development Committee-Kyle Gubler reported there is nothing new. We are just waiting for the hotel and Family Dollar to open.
3. Director of Operations-Derek explained the style and colors of the Crescent Park sign. The sign should be complete in the next few weeks then the crew will start on the landscaping part of the park. They will bid out as much as possible of the landscaping.

Kyle said that the Beautification Committee is planning the Ribbon Cutting Ceremony for some time in November.

V. Presentation:

Kuzina Cheng from Form Tomorrow passed out a copy of her presentation.

Form Tomorrow's summer intern group has been working on compiling a tool kit for possible future development along the sub-plain area for the Virgin River. It has been a two year process. The group is here tonight to present the findings and give specific recommendations to the City of La Verkin.

The presentation started off with general information on rivers then went to more specific presentation on their findings (see handout).

affects 110 species of birds. Chickens really don't show any sign of this flu. West Nile is again a bird illness and chickens are rarely affected by it. Animals that are infected by West Nile are a dead end source; they don't transfer that illness to any other animal.

He noticed there was something about bees and didn't know there was a problem with bees in the town. These were some of the things he looked at. He is not here to criticize anybody. He appreciates living in this area and loves the area with the open spaces and does not want to see it turn into a city any time soon.

Laura Justice mentioned that the Commissioners have done a great job with the new ordinance. She felt the old ordinance was very confusing. However in Section 6 letter b after the corrections Kevin made earlier it has 10 points listed but small animals are 3 points each and medium are 12. That doesn't add up mathematically. She questioned why the number wasn't 9 or 12. She would like it changed to 12 points allowing 4 chickens or rabbits instead of 3 & 1/3 chickens or rabbits.

Commissioner Hinckley explained the reasoning behind the number 10 was to get the number low enough to regulate the number of animals in that space.

Mrs. Justice pointed out that the next numbered item in the ordinance states no medium animals are allowed in a 10,000 square foot space so the point amount for medium animals should not matter because they are not allowed.

Commissioner Andregg commented that the public hearing portion of the meeting is for the public to speak. The Commissioners will speak after.

Laura asked for clarification of Section C, 1, a. (2) "Within the greater of any setback or requirements"

Kevin explained this means whichever number is greater, the easement or the setbacks will be the requirements the structure will adhere to.

Laura would also like the effective date changed to allow time for people to comply if this ordinance is passed.

Ray Justice thanked the Planning Commission for looking at this and stated having animals is an important part of the community it is why he lives here. He also feels it is important for children to raise living things before they have the chance to be parents. He is not an animal lover but has tolerated the animals at his house and still feels that it is an important part of being a rural town. He does understand the difficulty that law enforcement would have with the way it is written now. The ordinance did need to be clarified, he is glad it is getting done.

Kevin Reynolds stated that his kids have grown up with animals and it was probably the best thing for them. It taught them responsibility and how to care for and nurture animals.

You can regulate how many animals people have but that doesn't regulate how they are taken care of.

He understands the issue that is being addressed here but it doesn't really address the maintenance and that is a big part of having animals.

He lives here because of the animals. It is nice to be able to have them.

Kevin said that he appreciated the comment on the effective date. He agrees that it would be a good idea to give people the opportunity to make the changes needed to come into compliance or to take pictures to prove they would be grandfathered in. It is the property owners' responsibility to prove they are grandfathered in.

Kevin answered that the proposed ordinance prohibits corrals or any structure that would congregate animals or fowl in the setback or easement.

The non-complying structure can stay as long as it is being lawfully used for the same thing. Once the use or the structure changes they will have to come into compliance with the current law.

Commissioner Howard is fine with changing the number of points allowed from 10 to 12.

Commissioner Bice recommended letting the city council choose the effective date.

Motion was made by Commissioner Michael Hinckley to accept and recommend this ordinance with the two noted changes and the corrections to the City Council, second by Commissioner Karl Benson. Motion carried unanimously.

VII. Unfinished Business:

1. Presentation and possible discussion on zoning, development and permitted uses in the Downtown area.

Christy passed out the packet.

Derek explained that the packet was for the Commissioners to review for the next meeting. It is a reminder packet with items previously discussed on the Downtown area.

Commissioner Hinckley would like a chance to review the packet and discuss it at the next meeting.


Commissioner Howard agreed.

The discussion was postponed until the next meeting.

VIII. Adjourn:

Motion was made by Commissioner Hugh Howard to adjourn, second by Commissioner Michael Hinckley. Motion carried unanimously at 7:20pm.

Minutes taken on behalf of the City Recorder by Christy Ballard.



Planning Commission Chair

9-25-13

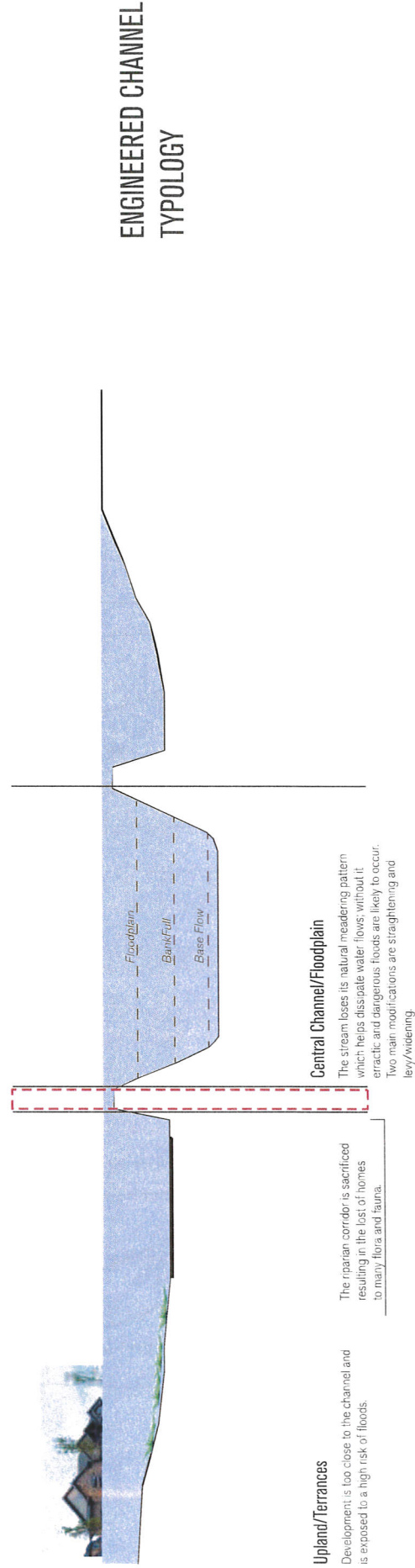
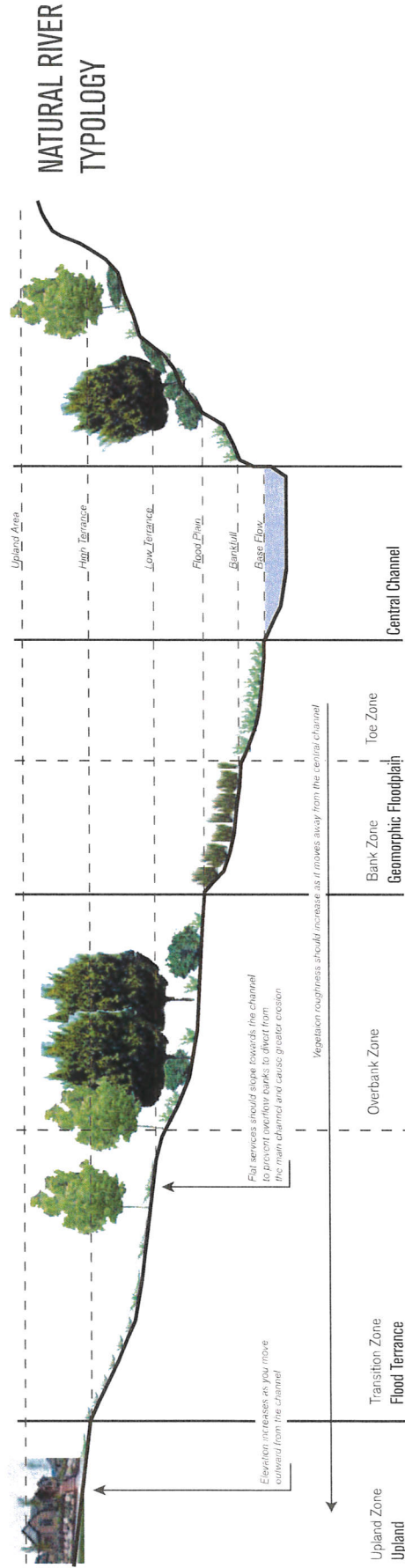
Date Approved

VIRGIN RIVER TOOLKIT

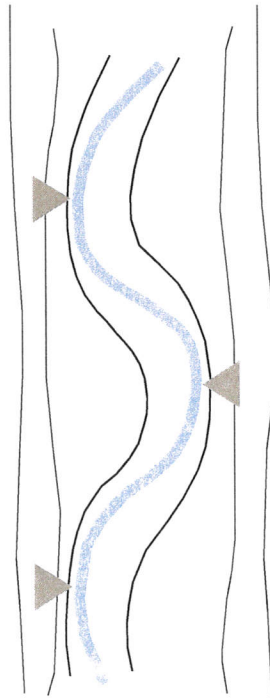
LA VERKIN

PRODUCED BY FORM TOMORROW 2013

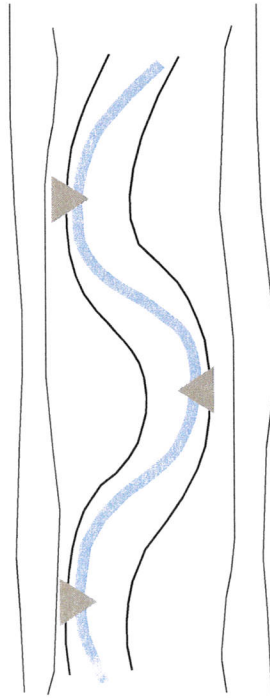
RIVER.ANATOMY



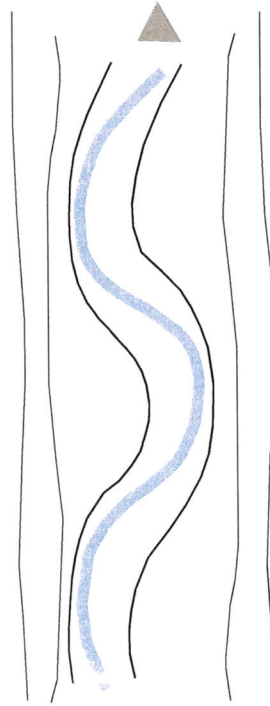
RIVER.FUNCTION



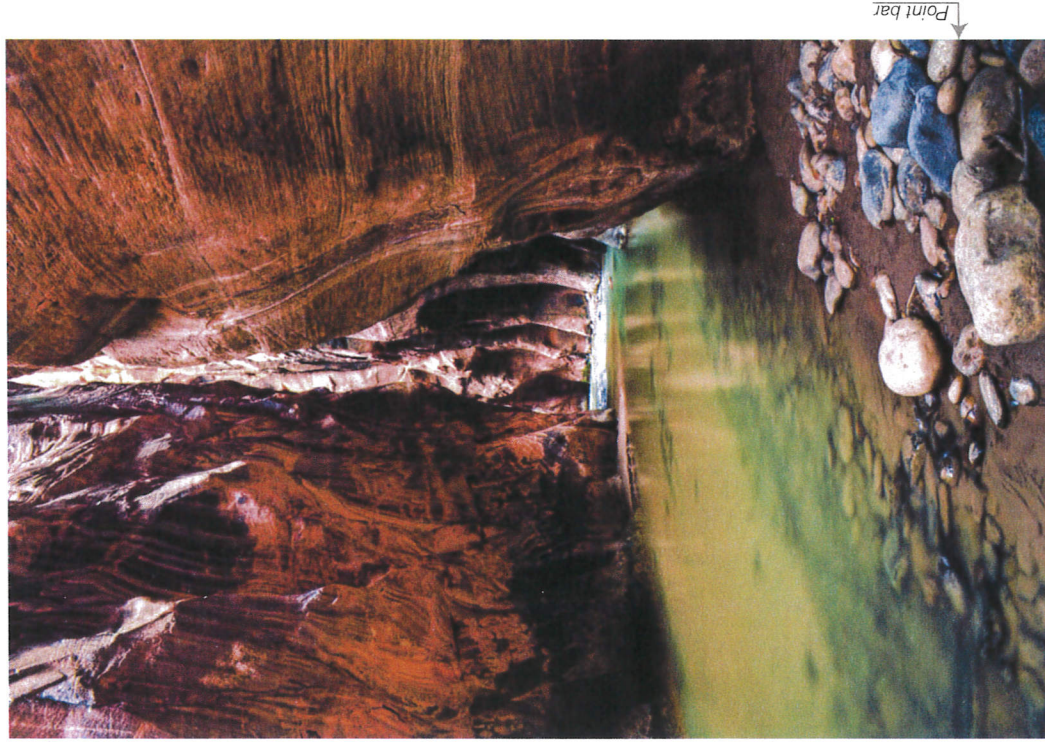
The outer curve of the meander removes sediments from the bank. This is known as 'scour'



The inner curve of the meander deposits sediments upon the bank to form a 'point bar'



Most scoured sediments tumble down stream with the water.



This was all eroded

Scour

Natural meander

Canyons are formed this way.

RIVER.CHANNELIZATION



Invasive plant species that grow thickly along the riverside such as Tamarisk and Russian Olive can also cause channelization to occur. They reduce the richness of the riparian habitat by occupying the toe zone densely, soaking up more water than native plants, and increasing the rate of erosion while reducing the ability of the river banks to absorb flood waters.



A stretch of river dominated by mature cottonwood, willow, and ash trees.



A stretch of river dominated by tamarisk thickets.

■ RIVER.CONCEPTS

KEY POINTS:

- > Flooding happens
- > Constricting flows increases flow velocities and increases erosion
- > Channelization decreases the river's ability to dissipate energy
- > Bank protection is not flood control
- > Bank protection focuses on reducing lateral erosion
- > Lateral erosion happens

EROSION HAZARD ZONE

Erosion Hazard Boundary

Ordinance - can be adopted at many levels

CONSERVATION EASEMENTS

Minimize developments on floodplain

Conserve critical habitat areas

EDUCATIONAL SIGNAGE (ZC3 Scenic Byway)

River Access

Using the landscape as a laboratory for learning

■■■ PREVENTION. EROSION HAZARD ZONE ORDINANCE

ORDINANCE REQUIRED BY THE EROSION HAZARD ZONE

RESEARCH - Provide Adequate Engineering Study

"Prepared by a professional civil engineer licensed to practice in the state, which includes an hydraulic analysis, an isotropical and geological evaluation of potential erosion hazards, and an analysis of long term channel degradation, movement and bank erosion."

FAIRNESS - Consideration for Neighbours

"...the proposed development will not be adversely affected by erosion and that the erosion protection measures, if any, will not adversely affect reaches or development upstream, downstream and across river over a 100-year planning period."

RESPONSIBILITY - Accountable for possible Consequences

"Hold the city harmless from all claims resulting from erosion or any other flood related damage to development within an 'erosion hazard area' by executing a 'flood and erosion hazard disclaimer of liability and agreement' and by placing a 'notice of hazard' on the final plat if applicable."

"Obtain necessary section (404) permit from the United States army corps of engineers, and stream alteration permits from the office of the Utah state engineer prior to any construction activity at no cost to the city; (Ord. 1-6-2000, 1-20-2000; amd. 2003 Code)"

PREVENTION.CONSERVATION.EASEMENTS

FLOODPLAIN CONSERVATION

An agreement that provides assurance that no development will occur in the floodplain area designated by the FEMA floodplain maps.

BENEFITS

Land Ownership

Retain title to your land

Value for Property

Usually conservation easement interest is worth 55-75% of the overall property rights.

Tax Deduction

The IRS offers enhanced tax deduction for qualified conservation easements for an extended carryover period of 16 years.

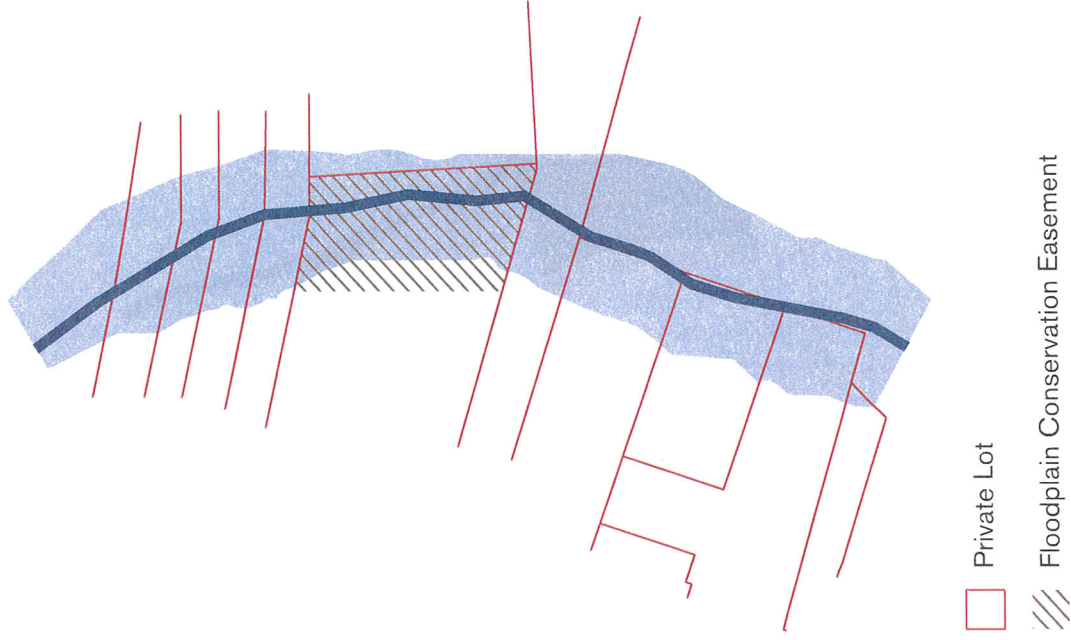
PUBLIC POLICY

Density Bonus

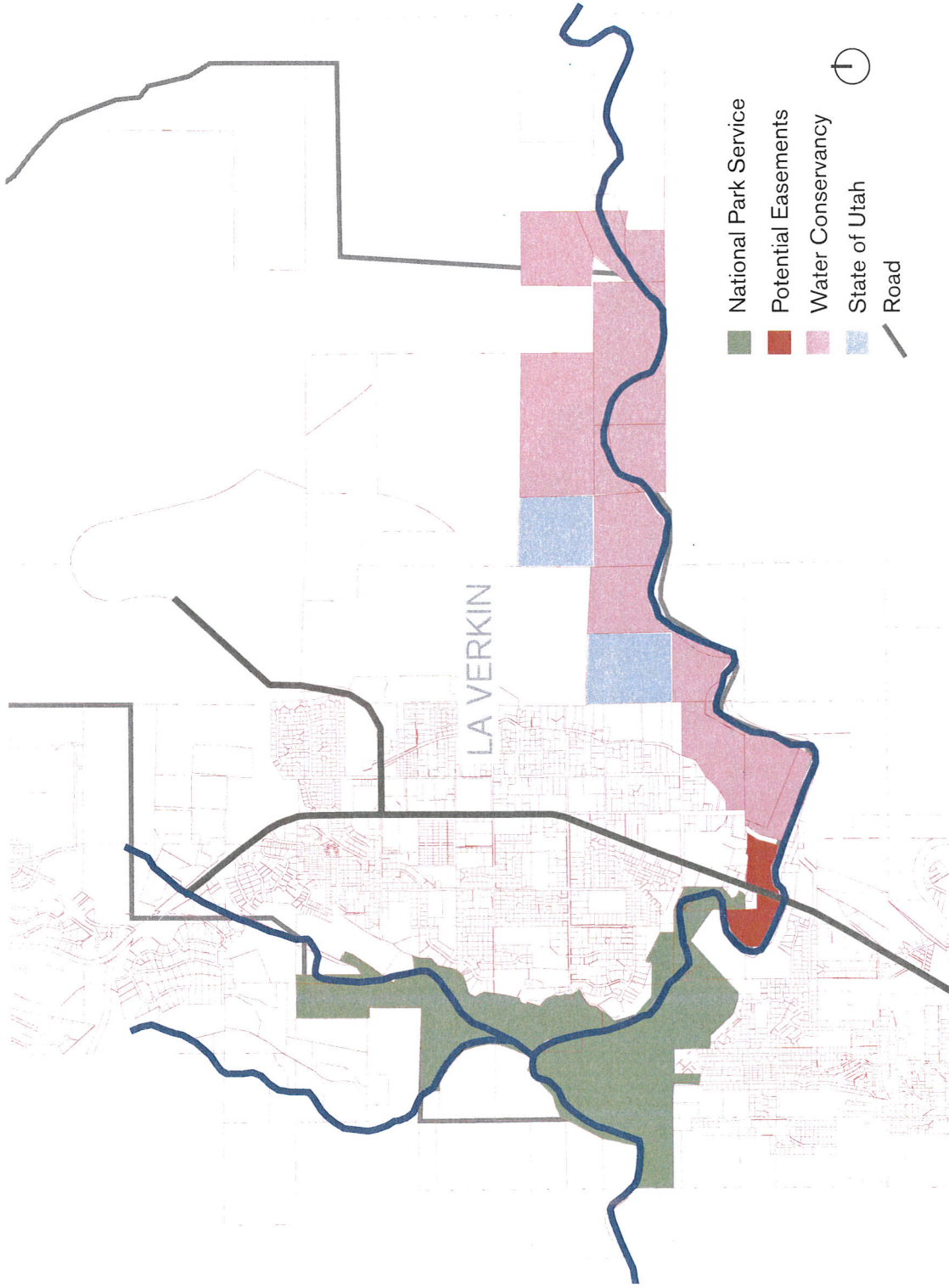
The landowner may gain a density bonus and build more on the part of their land that is not under the easement.

Transfer of Development Rights

The landowner may sell his rights to build to another.



■■■■PREVENTION.CONSERVATION EASEMENT



■■■■ PREVENTION. CONSERVATION EASEMENTS FUNDING

EASEMENTS

Organizations that work with easements in Washington County:



USDA's Natural Resources Conservation Service (NRCS) has several categories of easements it works with.

Easement Programs that allow continued agricultural use:

- Grassland Reserve Program (GRP)
Limits future use of the land while retaining the right to graze, produce hay, mow or harvest for seed production. Easements are held by the United States.
- Farm and Ranch Lands Protection Program (FRLPP)
Protects topsoil by limiting non-agricultural uses of the land. Provides matching funds to State, Tribal, and local governments and nongovernmental organizations to purchase permanent conservation easements. Easements are held by the cooperating entity.

Easement Programs that restrict agricultural use:

- Wetlands Reserve Program (WRP)
Restore and protect wetlands on the agricultural landscape. Provides producers a viable option for marginal lands such as those regularly altered by flooding. Participants voluntarily limit future land use, but retain private ownership. Easements are held by the United States.
- EWP Floodplain Easement Program (FPE)
Restores the natural features of ten floodplain and provides relief to producers with frequently flooded agriculture land.
- Conservation Reserve Program (CRP)
NRCS provides technical assistance to landowners and operators with sign-in provisions. NRCS programs and initiatives re-enrollments and

■■ RIVER ACCESS. EDUCATIONAL SIGNAGE

